-

-

THE HON'BLE SRI JUSTICE E. DHARMA RAO

-

WRIT PETITION NO. 17061 OF 2005

-

DATED 03.08.2005

Between:

1. Perugu Venkata Rao, S/o Satyam, Hindu, Occ. Agriculture, R/o Prakkilanka (v) Tallapudi Mandal, West Godavari District.

Petitioner

and

1. The District Collector, West Godavari District at Eluru.

Respondents

-

-

-

-

-

-

ORAL ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a writ of Mandamus, declaring the proposed high-handed action of the respondents in trying to take possession of the patta land from the petitioner, which is in his lawful possession and enjoyment measuring Ac. 62.00 out of total extent of Ac. 182.00 in R.S.No. 2, Patta No. 17, situated at Prakkilanka Village, Tallapudi Mandal, West Godavari District, without following the due process of law, as illegal and consequently direct the respondents not to dispossess the petitioner from his lawful possession and enjoyment in respect of the above said land.

The case of the petitioner is that he is the absolute owner and possessor of the land measuring Ac. 62.00 out of total extent of Ac. 182.00 in R.S.No. 2, patta No. 17 situated at Prakkilanka Village, Tallapudi Mandal, West Godavari District. He purchased the said land in the year 1953 from one Muthangi Yethirajamma by paying valuable sale consideration out of total extent of Ac. 182.00 and the Revenue authorities have issued Pattedar Pass Book in respect of the schedule land recognizing his title over the suit scheduled property. Apprehending that the respondent authorities may take possession of the land without following due process of law, for the purpose of distributing the petitioner's patta land under Rajiv Palle Bata Programme, without there being any Land Acquisition Proceedings, the present Writ Petition has been filed.

In view of the above facts and circumstances, I deem it appropriate to direct the respondents not to dispossess the petitioner from the land admeasuring Ac. 62.00 out of total extent of Ac. 182.00 in RS.No. 2, Patta No. 17 situated at Prakkilanka Village, Tallapudi Mandal, West Godavari District, without following the due process of law.

Accordingly, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 3.8.2005

ka